



FINAL MINUTES

CITY OF SEASIDE
CITY COUNCIL

REGULAR MEETING
COUNCIL CHAMBER
Thursday, June 2, 2016
7:00 PM

1. **CALL TO ORDER**

Mayor Rubio opened the meeting at 7:00 PM.

2. **ROLL CALL – ESTABLISHMENT OF QUORUM**

PRESENT: Alexander, Campbell, Oglesby, Pacheco, Rubio

ABSENT: None

3. **REVIEW OF AGENDA**

No changes were requested.

4. **PUBLIC COMMENTS**

Mayor Rubio invited comments from the public.

- Helen Rucker spoke to the Joint Special Meeting Agenda Item concerning the Season's Management development and spoke in support of adding this type of care facility in Seaside so that elderly residents don't have to leave the community. She commented on the passing of Mr. Otis Martin. She also reminded the Council, in Ruthie Watt's absence, about the NAACP scholarship fund and encouraged the leaders to congratulate the scholarship recipients.
- Christine Montief spoke about the Monterey Downs project citing the horse racing part is a small aspect, but the events venue will be the largest in the area, the housing will be new and affordable, spoke to the support of the CSUMB Equine program and the pending aquatics center that will have an Olympic sized pool.
- Ray Dandridge disagreed with the statement that no one in Seaside wants the Monterey Downs project because he knows there are many that do support it. He spoke in support of the project and suggested that the name of the project be changed to East Seaside.
- Hanna indicated that she is frustrated because she did not get a response to her request to have police services. She spoke to getting locked out of her residence and spoke to another resident posting signs on her own residence against her. She requested the Council's assistance.

5. **INVOCATION AND PLEDGE OF ALLEGIANCE**

Elder Areaseal "Slim" Sims from Christian Memorial Tabernacle will led invocation.

6. **PUBLIC AGENCY COMMUNICATIONS**

Jeff Lindenthal from the Monterey Regional Waste Management District was pleased to report on the third annual one day Hazardous Waste Disposal Collection Event to be held June 25th at Monterey Peninsula College. He noted it was a convenient opportunity to drop off HHW for residents.

7. **PRESENTATIONS**

A. **PRESENTATION OF THE MAY 2016 HOUSE OF THE MONTH AWARD**

Mayor Rubio and Ray Bennett, NIP Commissioner honored the residents at 570 Amador Avenue.

B. **PRESENTATION REVEALING THE REVISED CITY OF SEASIDE WEBSITE AND NEW SOCIAL MEDIA PROGRAM**

City Clerk Milton-Rerig presented to the City Council and the public the newly unveiled City of Seaside website which would be replace the existing website the following day. She discussed the new navigation and features and different options that provide information and services to residents and visitors alike. Ms. Milton-Rerig identified and thanked the staff that assisted with the project.

C. **RECIEVE AFTER ACTION REPORT ON CITY ALL EMPLOYEE IN SERVICE DAY**

Fire Chief Brian Dempsey reported the after action results of the All Employee In Service Day. He spoke to the benefits of the day and the feedback that was provided from staff. More than 130 employees were present and survey results indicated there was overwhelming support that the day was beneficial personally and professionally and that the event should be held again. Chief Dempsey answered questions from the Council.

Mayor Pro Tem Oglesby spoke to his brief attendance at the event and spoke in support of the event and future similar event efforts. It looked like a team building exercise and supported doing the event annually. Mayor Rubio spoke to the organizational communication that makes our organization stronger.

8. **CONSENT CALENDAR**

A member of the public requested to discuss Item F.

Mayor Rubio invited comments from the public.

- Felix Bachofner expressed concerns regarding the retirement announcement and that his comments relate to three areas. First Chief Myers has been here 6 years, and questioned the CAL PERS impact and if it was a fair cost to be borne by the City of Seaside, expressed concern regarding the home loan and asked the status of the investigation that was undertaken and what was the result.

City Attorney Freeman responded that the investigation report has been completed and because it deals with personnel action, it is not a public record and the only way to access is to file a motion in court. City Manager Malin responded that the remaining questions are addressed in the staff report.

There were no questions from the Council.

On motion by Council Member Alexander and seconded by Mayor Pro Tem Ian Oglesby and passed by the following vote the City Council approved the consent calendar as presented.

RESULT:	Approved
MOVER:	Council Member Dennis Alexander
SECONDER:	Mayor Pro Tem Ian Oglesby

AYES:	Ralph Rubio, Ian Oglesby, Dennis Alexander, Jason Campbell, Dave Pacheco
NOES:	None

A. APPROVE MINUTES OF MAY 19, 2016 REGULAR MEETING

Action: Approved

B. APPROVE AND FILE CITY CHECKS

Action: Approved & Fi

C. ACCEPT AND FILE THE CASH AND INVESTMENT REPORT FOR THE CITY OF SEASIDE FOR THE QUARTER ENDED MARCH 31, 2016.

Action: Accepted

D. APPROVE RESOLUTION AWARDDING A CONTRACT TO GARLAND/DBS, INC. IN THE AMOUNT OF \$272,775 FOR CONSTRUCTION OF NEW LIBRARY ROOF.

Action: Approve and Adopted Resolution 16-48

E. AUTHORIZE RESOLUTION APPROVING AGREEMENT WITH RESTORATIVE JUSTICE PARTNERS INC. FOR SERVICES TO CENTRAL COAST HIGH SCHOOL, COMMUNITY DAY SCHOOL AND ALTERNATIVE SCHOOL FOR A TOTAL COST NOT TO EXCEED \$35,700 WITH ALL COST TO BE REIMBURSABLE UNDER THE CAL GRIP GRANT.

Action: Authorized & Adopted Resolution 16-48

F. APPROVE A RESOLUTION AUTHORIZING A RETIREMENT INCENTIVE PROGRAM FOR THE CHIEF OF POLICE

Action: Adopted Resolution 16-49

9. PUBLIC HEARING

A. CONSIDER A FIRST READING OF AN ORDINANCE TO AMEND CHAPTER 8.28 OF THE SEASIDE MUNICIPAL CODE FOR ITEMS RELATED TO THE CITY'S FRANCHISED GARBAGE COLLECTION SERVICES (FIRST READING)

Deputy City Manager Administrative Services Hodgson presented the report, speaking to the process of development of the Joint Franchise agreement as part of a municipal code clean up as the the code proposed will now match the franchise agreement as approved. The Chapter will update language for the following sections: construction and demolition, comingled recycling, changed low-income senior rates grandfathering those who currently have the rate, and new seniors will have to qualify as a low income senior to get the rate and other authorized haulers. Ms. Hodgson introduced Rob Hilton, waste contract consultant was present to answer any questions from the Council.

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

Council Member Campbell spoke in support of items that are addressed such as the requirement to remove their bins from the street curb in a reasonable time, and other requirements that will help clean up the look of our City.

On motion by Council Member Alexander and seconded by Council Member Pacheco and passed

by the following Roll-Call vote the City Council passed to print the draft ordinance amending Chapter 8.28 of the Seaside Municipal Code for items related to the City's Franchised Garbage Collection Services.

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

B. CONSIDER ADOPTION OF A RESOLUTION APPROVING GARBAGE COLLECTION RATES FOR FISCAL 2016-2017

Ms. Hodgson continued the presentation and in accordance with the franchise agreement, she reported the rates can be adjusted annually therefore GreenWaste has proposed a rate adjustment as allowed. Mr. Hilton reported that he analyzed the proposals for accuracy and appropriateness and it met all of the criteria. Ms. Hodgson felt that the best rate adjustment, as recommended, to reduce the residential customers' rate by 1.9% for next year, commercial service costs will go up by .6% and there will be a 4% increase in roll-off services. The roll-off services minimally impacts the residential customer. Mr. Hilton and GreenWaste representatives were present for questions.

On question, Mr. Hilton indicated If you blend all of the sectors together its a .02% increase to the customers. The roll-offs and the commercial customers will bear most of the costs. Council Member Campbell requested consideration of keeping City costs business friendly. Mr. Hilton spoke to the generation of the increase percentages as prescribed in the franchise agreement. The successful recycling has helped keep the costs down. Council Member Pacheco spoke to the additional costs that can be charged for extra services, where Waste Management did not charge. Mr. Hilton responded that you do have the new fees in the contract, and if WM had gotten the new contract, they would also have incorporated those fees as well, as their old agreement just has not been modified.

Mayor Rubio invited comments from the public on this item.

- Ms. Rucker spoke in support of the successful recycling behavior, but is concerned about the independent recycling that may impact the costs, but mostly, the mess that is made by them. She questions if there is anything that can be done about it.
- Gertrude Smith thanked Ms. Rucker for her comment as she was not aware of the issue of litter and spoke to her ideas to help mitigate in her own neighborhood.
- Miriam Smith spoke to independent recycling being done by the poor so she suggested instead of criminalizing, put an extra bag out there so they don't have to dig through it.
- Felix Bachofner agreed but also suggested when we get the new cans, perhaps a sign can be integrated or a sticker placed on all cans regarding the anti-scavenging. Maybe a suggestion to ask GreenWaste for when it is cost disadvantageous.

Ms. Hodgson responded that it is illegal for independent recycling but it is challenging to enforce. Mr. Hilton spoke to the ordinance that was just passed that included an anti-scavenging ordinance but it is up to the City for enforcement. Council Member Alexander did clarify that scavenging is theft and can be cited.

On motion by and seconded by Council Member Jason Campbell and passed by the following vote the City Council passed Resolution 16-50 adopting the new garbage collection rates adjustment

for FY 16-17

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

10. RECESS CITY COUNCIL MEETING AND RECONVENE CITY COUNCIL/SUCCESSOR AGENCY JOINT SPECIAL MEETING

The meeting was adjourned and the Joint Special Meeting reconvened at 8:27 PM.

11. PUBLIC HEARING

A. CONDUCT A PUBLIC HEARING AND CONSIDER ADOPTION OF A RESOLUTION APPROVING THE 2016-2017 GENERAL AND OTHER FUNDS OPERATING BUDGET, CAPITAL OUTLAY BUDGET, CAPITAL IMPROVEMENT BUDGET, POSITION CONTROL LIST AND SALARY SCHEDULE, THE APPROPRIATIONS LIMIT, THE CAPITAL IMPROVEMENT PLAN, AND SET THE RESERVE AMOUNTS AND AUTHORIZE STAFF TO TAKE ACTIONS AS NECESSARY FOR BUDGET IMPLEMENTATION

City Manager Malin presented the report beginning with informing the Council of the staff members have opted to take the retirement incentive program resulting in positive ramifications to the budget situation, bringing the final budget into alignment and generating a surplus. Deputy City Manager Administrative Services Hodgson presented the proposed budget preview including the adjustments made since the May 19th meeting presentation.

She spoke to the 2017-18 budget preview with an estimated revised imbalance of \$1.02 Million deficit even with the three retirements. Yet the proposed budget for 2016-17 has been modified to include the retirement savings of \$470,000, resulting in a \$65,000 surplus and she spoke to previously eliminated items added back into the budget. In summary, the 16-17 budget is balanced, incorporating the retirement incentives, Police and Fire budgets are increased, the reserves are headed in a positive direction, and that diversification options will be taken up in the near future therefore staff recommended approval of the budget. Ms. Hodgson answered questions from the Council.

Council Member Campbell questioned the enterprise funds, including the imbalance to the water, which staff responded will be brought forward at a later date.

Council Member Pacheco questioned the cost of living imbalances, and how much revenue do we receive from Measure R, to which staff responded up to \$3.5 million, and has held as a steady revenue source for us over time. He then asked how many officers we have including those attending the academy to which staff indicated there are 40 sworn officers, 1 in the academy and 3 vacancies. He asked if there are any concerns with communication effectiveness to which she responded there are issues with the 911 communication towers, and we are in contract with a testing to find the issues. Mayor Pro Tem Oglesby asked what the issue is with filling positions for police officers and clarified that if the budget is approved, it adds one more Officer position to the budget.

Mayor Rubio invited comments from the public and opened the public hearing.

- Felix Bachofner congratulated the Council on the first structurally balanced budget in a long time. He expressed concern with future budget with the needs being pushed down the road as deferred expenses that will affect the services provided to residents. He also suggested reallocation of funds to the different reserve accounts.

Mayor Rubio indicated the City Manager will provide a budget update at mid-year.

Council Member Campbell thanked staff to bring in a balanced budget, but he still thinks there are places that can be cut and saved. He is not pleased with the legislative expenditures, the Water Authority and state lobbyist expenses for example, are not helping the citizens. Turning off the lights on General Jim Moore, putting roundabouts instead of traffic lights are ideas and requested staff look for cost efficiency. Council Member Pacheco commended staff for efforts and that there are things he disagrees with, but the bottom line is he can agree with what was presented at this time. Mayor Pro Tem Oglesby also appreciated staff, but going forward we have to focus on economic development, and keep talking about the stormwater maintenance fund. The Mayor asked where the excess funds will be placed to which the Council agreed to use the regular formula for distribution.

On motion by Mayor Pro Tem Oglesby and seconded by Council Member Campbell and passed by the following vote the City Council adopted the 16-17 budget and using our formula, divide the surplus funds \$65,687 between the emergency reserve and the special reserve, approving the general and other funds operating budget, capital outlay budget, capital improvement budget, position control list and salary schedule, the appropriate limit capital improvement plan and set the reserve mounts as presented.

RESULT: **Adopted**

MOVER: Mayor Pro Tem Ian Oglesby

SECONDER: Council Member Jason Campbell

AYES: Ralph Rubio, Ian Oglesby, Dennis Alexander, Jason Campbell, Dave Pacheco

NOES: None

12. ADJOURN CITY COUNCIL/SUCCESSOR AGENCY JOINT SPECIAL MEETING AND RECONVENE CITY COUNCIL REGULAR MEETING

The Mayor reconvened the Regular Meeting at 10:09 PM and all members were prese

13. BUSINESS ITEMS

A. REVIEW, DISCUSS, CONDUCT A PUBLIC HEARING, AND CONSIDER ADOPTION OF A RESOLUTION TO APPROVE THE PROPOSED 2016-2017 FEE SCHEDULE

Reconvened the meeting at 10:10 PM.

Deputy City Manager Hodgson spoke to the previous approved process to use the standard CPI index 2.6% approved for this year, and was applied to all fees within the City, except two, in the Recreation program, the senior lunch program, which converted to a standard fee. Ms. Hodgson reminded the Council the purpose is to stay in line with the cost of living fees and not end up with an imbalance with the cost of providing services and the fees to pay for them. Ms. Hodgson answered questions from the Council.

Council Member Pacheco spoke to the cost threshold for customers and businesses where they find thing to be no longer cost effective, mostly related to recreation services. How close are those fees

to going over the line discouraging participating, which ends with a lost of revenue? Recreation Director Towne spoke to the cost recovery policy implemented in 2013 that there has to be a balance between demand, costs of service, historical data and usage to determine how high the costs can go. The Council requested clarification of why the San Francisco CPI is used, to which she indicated it is the closest index to our geographic region.

Mayor Rubio invited comments from the public.

Felix Bachofner spoke to it being cost ineffective to have cost data for more areas than it does. Each index exerts weight on pricing pressure. He echoed Council Member Pacheco's comments that there are fees that are dissuasive for people to maintain properties and improve them. Not suggesting eliminating the fees, but potentially implement fee waivers from time to time.

The Council did discuss incentive programs but it need to be analyzed.

On motion by and seconded by Council Member Jason Campbell and passed by the following vote the City Council approved the item as presented.

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

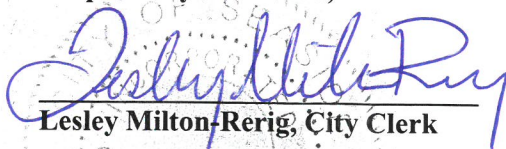
14. MAYOR, CITY COUNCIL, CITY MANAGER AND CITY ATTORNEY COMMENTS AND REPORTS ON COMMITTEE ASSIGNMENTS

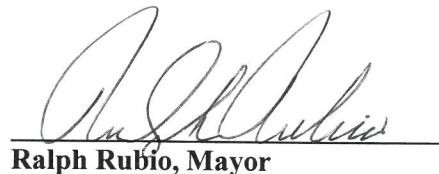
On motion, the meeting was extended past 10:30.

Council Member Campbell reported The Mac Superstore is closing down tomorrow because they did not get the foot traffic they are looking for. The WBUV plan needs to get moving, including the bonds that need to be spent. If we can double down to make the program go forward, it should be prioritized. He made a standing request that the Council get the balance sheet for the trust funds for the developers on a regular basis, for the development trust funds, at each Council Meeting. Mayor Pro Tem Oglesby spoke to the candidate interviews and is excited to bring on the Youth Violence Prevention Manager.

15. ADJOURNMENT

Respectfully submitted,


Lesley Milton-Rerig, City Clerk


Ralph Rubio, Mayor