



CITY OF SEASIDE
CITY COUNCIL

FINAL MINUTES

REGULAR MEETING
COUNCIL CHAMBER
Thursday, July 7, 2016
7:00 PM

1. **CALL TO ORDER**

Mayor Rubio called the meeting to order at 7:00 PM.

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

Present: Alexander, Campbell, Oglesby, Pacheco, Rubio
Absent: None

3. **INVOCATION AND PLEDGE OF ALLEGIANCE**

4. **REVIEW OF AGENDA**

No changes were requested.

5. **PUBLIC COMMENT**

Mayor Rubio invited comments from the public.

- Sarah Heller, resident on Kimball street spoke to the 4th of July Fireworks. She understood that it benefits non-profit organizations but thinks that it impacts the residents negatively and she requested the policy be re-evaluated. She spoke to the impacts that it has to the veterans, the elderly and the animals in our neighborhood. She also didn't believe that the Police Officers should be spending their time determining the difference between illegal and legal fireworks.
- Rebecca Pieken also spoke against the holiday fireworks saying they are beautiful and fun and suggested that the community rally together to financially support a large scale fireworks display in place of the independent fireworks.
- Christine Hoyer spoke regarding receiving a citation for parking a trailer on the street. She spoke to the trailer being used as part of her families financial viability and reported that she cannot find a private storage location and thinks the regulation is overly burdensome and conflicting with the DMV regulations.
- Gundy Retkey also spoke against the 4th of July fireworks indicating Public Safety were very busy with firework related calls which made them unavailable to service the normal residential issues. No matter the excellence of a department, this remains an issue and other local cities have banned them so we should too.
- Judy Whin and Anne Solice who were both associated with Relieve, a medical cannabis cooperative reported they desire to have conversations about establishing a medical cannabis dispensary in Seaside.
- Dawn Poston commended the City on the new website and reminded the community that the Monterey Horse Park is still a viable project and that most of the horse shows are outside of Monterey County and that the project will be an economic engine for jobs and hospitality.
- Darryl Choates expressed frustration with weed abatement efforts between Monterey Road

and San Pablo.

- Don Bruno, and RV owner spoke against the RV ordinance and thinks there are other issues the city should be focusing on and should consider alternative solutions, such as a parking permit program.
- Sue Hawthorne expressed support for the new street lighting in the city and expressed concern there is now a safety issue of lighting on Saint Helena and requested that the directional shades be removed.
- Ray Dandridge echoed Ms. Hawthorne's comments. He also spoke to the fireworks not being as bad as last year and doesn't think banning safe and sane is the problem.
- Members of Community Partnership for youth thanked the City Council for their support and spoke to the new project that students engaged in during the summer Youth Empowerment Solutions for Peaceful Community program which help the youth be advocates for their communities.
- Laurie, this year's president, shared the plan they are working toward to help the local homeless with gift bags filled with usable living essentials items.
- Armando, has been with CPY for 7 years and he said the program has influenced him to be the person he had today and he stayed because of the leaders, who empowered him to be a leader and they encouraged him to be part of the community.
- Tammy Superdewal from CPY, invited the community and Council the CPY sidewalk passport walk and rally July 16 at 10:00 AM for the 25th anniversary of CPY as a thank you to Seaside for all the support

Mayor Rubio responded to public comments made.

6. **PUBLIC AGENCY COMMUNICATIONS**

No agencies were in attendance.

7. **PRESENTATIONS**

A. **RECOGNITION OF MICHELLE IRVING FOR HER SPECIAL CONTRIBUTIONS IN AIDING THE CITY OF SEASIDE IN DECREASING GANG RELATED CRIMES.**

Mayor Rubio presented Michelle Irving with a proclamation for her contributions assisting Seaside with decreasing gang related crimes.

B. **RECOGNITION OF HECTOR VAZQUEZ'S 15 YEARS OF COACHING IN THE SEASIDE YOUTH SOCCER LEAGUE**

Mayor Rubio presented Mr. Hector Vazquez with a proclamation for his efforts coaching, mentoring and empowering youth through soccer in the City of Seaside.

C. **PROCLAMATION RECOGNIZING DEPUTY CITY MANAGER DIANA INGERSOLL FOR HER 34 YEARS OF SERVICE WITH THE CITY OF SEASIDE**

Mayor Rubio and the Council presented Ms. Ingersoll with a commending proclamation for her years of service to the City of Seaside.

8. **CONSENT CALENDAR**

Council Member Campbell questioned items G and H to see if there is adequate funding in the trust

fund accounts to pay for these services. Ms. Hodgson indicated the trust funds are current to date and it's a continuous invoice and reimbursement process for services. Items B, C, D G and H were pulled for consideration.

On motion by Council Member Alexander and seconded by Mayor Pro Tem Ian Oglesby and passed by the following vote the City Council approved A, E, F.

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 JUNE 16, 2016 REGULAR MEETING

Action: Approve

B. APPROVE AND FILE CITY CHECKS

Mayor Rubio invited comments on the item. Felix Bachofner commenting that the retrofitting costs for the Del Monterey Ave project exceeded the contract amount and caution the Council about increases in consulting fees. He also expressed concern that the City is farming out too much work and asked to please hold consultants accountable to their initial contract proposals.

On motion by Council Member Campbell and seconded by Council Member Dennis Alexander and passed by the following vote the City Council approved and filed the City Checks as presented.

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

C. CONSIDER THE APPROVAL OF THE TRAFFIC ADVISORY COMMITTEE (TAC) RECOMMENDATIONS

Mayor Rubio invited comments on the item. Ray Dandridge spoke to previous comments made regarding the traveling speed of the road, and that it's almost impossible to go that fast in that short block. He's disagrees it is an issue and questioned who has to pay for the modifications if approved.

Ms. Ingersoll responded to the item saying that it is a revision to the traffic calming policy, changing residential speeding thresholds to allow different traffic calming standards and methods when complaints are received. The current spread does not allow us the ability to do traffic calming if the speed is not at the high threshold.

On motion by and seconded by Mayor Pro Tem Ian Oglesby and passed by the following vote the City Council approved the item 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

D. CONSIDERATION OF A RESOLUTION AUTHORIZING AN AGREEMENT FOR CONSULTANT SERVICES WITH ADVANCE PROJECT DELIVERY TO PROVIDE PROJECT SUPPORT FOR THE WEST BROADWAY URBAN VILLAGE INFRASTRUCTURE IMPROVEMENT PROJECT FOR A NOT TO EXCEED AMOUNT OF NINETY-THREE THOUSAND SEVEN HUNDRED NINETY-FOUR DOLLARS (\$93,794.00)

Council Member Pacheco questioned the recommendation for the firm selection and requested some background information on the selection process. City Engineer Riedl spoke to the consultant's experience and how his contract would benefit the project and the City. He indicated the consultant is an experienced specialist for these project and has worked in the state of CA to secure similar funding. James O'Brien the president of the company, spoke to his personal experience as well as his firms experience and areas of expertise. Council Member Campbell clarified if this is all inclusive or if there were anticipated extensions to the contract to which Mr. Riedl reported that the contract is inclusive through the audit.

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

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

E. CONSIDERATION OF A THIRD AMENDMENT TO THE PROFESSIONAL SERVICES CONTRACT AGREEMENT WITH CSG CONSULTANT, INC. TO PROVIDE BUILDING OFFICIAL OVERSIGHT SERVICES AND TO INCREASE THE NOT TO EXCEED CONTRACT AMOUNT BY \$17,500

Action: Approved

F. ADOPTION OF A RESOLUTION DECLARING THE CITY COUNCIL'S INTENT TO REIMBURSE CERTAIN EXPENDITURES FOR THE CITY'S ENERGY PROJECT FROM THE PROCEEDS OF LEASE/PURCHASE FINANCING

Action: Approved and Passed Resolution

G. CONSIDERATION OF A FOURTH AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH EMC PLANNING GROUP INC. FOR PROJECT MANAGEMENT SERVICES FOR THE PROPOSED MONTEREY DOWNS, MONTEREY HORSE PARK AND CENTRAL COAST VETERANS CEMETERY PROJECT TO INCREASE THE CONTRACT AMOUNT BY \$70,165 TO COMPLETE APPLICATION AND ENTITLEMENT PROCESSING

Mayor Rubio invited comments from the public on the item but the Item was mistakenly pulled by the public.

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

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

H. CONSIDERATION OF A THIRD AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH MICHAEL BAKER INTERNATIONAL (FORMERLY RBF CONSULTING) FOR THE MONTEREY DOWNS AND MONTEREY HORSE PARK AND CENTRAL COAST VETERANS CEMETERY SPECIFIC PLAN ENVIRONMENTAL IMPACT REPORT TO INCREASE THE NOT TO EXCEED CONTRACT AMOUNT BY \$20,000 TO COMPLETE THE FINAL EIR

Mayor Rubio invited comments from the public. Bill Weigle requested assurance that if this is approved, then the EIR should be finished and delivered by July 29th otherwise there will be a penalty of \$10,000, he asked if there are additional penalties if they do not deliver and the likelihood the EIR will be released on August 1st.

City Manager Malin responded that there are no additional penalties if not received and the intent of the City is to release the EIR on August 1st. City Attorney Freeman indicated in the unlikely event that it is not delivered, we do not get paid until we have the document, so that is a different penalty. We have every reason to believe it will be complete.

On motion by Council Member Alexander and seconded by Council Member Dave Pacheco and passed by the following vote the City Council approved the item 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

9. BUSINESS ITEMS

A. RESOLUTION AUTHORIZING CITY OF SEASIDE AND MONTEREY PENINSULA UNIFIED SCHOOL DISTRICT FACILITY SHARING MEMORANDUM OF UNDERSTANDING

Recreation Director Towne spoke to the item memorializing an MOU between Monterey Peninsula Unified School District and the City for community shared interests, which will establish practices to use each other's facilities when practical. There is a current MOU but it is antiquated, so it was time to revisit the item and revise. There is no fiscal impact associated with the item. Ms. Towne answered questions from the Council.

Council Member Pacheco asked if the agreement is to be evaluated in the future to find better uses two which Ms. Towne said it is not expressly included however staff can meet with them on a regular basis if there is an issue. He then asked about the District Board meetings, and thanked Dan Albert who was instrumental for making this possible, for the betterment of both groups.

MPUSD Superintendent Diffenbaugh spoke in support of having active communication with the City and reported on the Board decision to open the school grounds for public use after school till dusk and on weekends. They are in the process of ordering signs to clearly mark entrances however organized activities need to follow the process for a facility use permit. Mr. Pacheco presented an idea, speaking to the comments made regarding lack of sports fields, He knows costs to maintain and transform fields are large, and asked if there was a way to cost share field rehabilitation to enhance opportunities for youth, possibly through a joint use project, to which Mr. Diffenbaugh agreed to discuss.

Mayor Rubio invited comments from the public.

- Helen Rucker spoke to having a great partnership in the past between the District and the City and said she was happy to see this item and is in support of the playground openings for the neighborhoods.
- Miriam Smith spoke in support of opening up the facilities to the community.
- Felix Bachofner spoke in support of the shared use and questioned the contract terms, specifically the indemnification language, expressing concern with the clause regarding resolving differences.
- Gurtrude Smith is glad Seaside and the District are going to take this opportunity to open the playgrounds to extended use. It's a good outlet for kids that otherwise would be bored. There are ways to keep things nice. She will brainstorm how to keep it informed on school property.
- Shari Hastey expressed appreciation to the District for their partnership with CPY, as they provide the facilities and the low income lunch program. She spoke to the District efforts to serve Seaside community, including a buss to bring kids back to Seaside from Colton school after the program.

Mr. Diffenbaugh spoke in support of Mr. Malin's efforts to make progressive changes. He appreciated his can do attitude, quick response and thinking outside the box.

On motion by Council Member Alexander and seconded by Council Member Dave Pacheco and passed by the following vote the City Council approved the item 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

B. RECEIVE PRESENTATION, DISCUSS AND AUTHORIZE RELEASE OF REQUEST FOR PROPOSAL FOR MIXED-USE DEVELOPMENT ON MAIN GATE SITE

City Manager Malin provide a presentation on the item, speaking to the previous history of the project citing the previous plan suffered from two challenges. First the market has moved and second, the property it's inaccessible. Mr. Malin explained that CSUMB controls access to the property and through positive discussions with CSUMB, and the MOA that was approved previously which outlines the design parameters for gaining access, it restructures the partnership to be mutually supporting each other. Within the MOA, when this property gets developed 20% of commercial activity will support scholarship opportunities for Seaside youth. Also, he spoke to the FORA RUD guidelines that have been released. Staff expects the specific plan will have to be

amended to be consistent with regulations that have changed since adoption, Additionally EIR mitigations will remain in effect, as well as the CSUMB Master plan and current market conditions are such that there are multiple visitors are interested in the property. Mr. Malin believes it is a mixed use development opportunity that will be bed and university friendly, hotel/retail/office/residences above retail and offices. In closing he spoke to the timeline, detailing the release of the RFP is anticipated for the 25th of July and the final recommendation is anticipated to be before the Council by December. Mr. Malin answered questions from the Council.

Council Member Pacheco questioned how much flexibility there is with the possible developments to which Mr. Malin described the elements outlined in the specific plan provides flexibility to what the definition of mixed use is, but the ideals of the community will come back to us by way of multiple proposals that the City can chose from. He also spoke to the unique benefit that we have with having growing university and have a once in a lifetime time to develop a campus town with high end retail. He said the plan as it exists, optimizes the square footage, but in this type of development, you determine how much building mass can you support in the market place compared to surface parking. The potential introduction of mixed use, may reduce the need for such parking.

Mayor Rubio invited comments from the public.

- Sue Hawthorne questioned the current ownership of the land and would this be in the city of seaside or the CSUMB campus. There is a strong need for civilizing influence that is missing and having something like this at the front gate would be beneficial.
- Bill Weigle spoke to interactions with students at CUSMB, and a common theme is there is nothing in Seaside for students and encouraged the city to get the students involved to have input about what types of development they would like.
- Kay Cline liked putting this out to developers with the City's vision as a University Town and tightening up relationships with CSUMB and FORA is a great idea.
- Helen Rucker spoke to the other development projects at the site and requested they be congruent.
- Sinead Morrow requested that CSUMB staff be able to afford to live in the housing and questioned if the retail space will be affordable for local businesses.
- Felix Bachofner spoke to previous conversations with CSUMB and their history of concerns. He said this is the single greatest development opportunity in Seaside and it's important that we get this right. He questioned why he cannot see the RFP and requested the Council direct staff to prepare the RFP and don't circulate until they see it.

Mr. Malin answered questions presented during public comment. It is all within Seaside. Yes, he envisioned student involvement including on the review panels. Affordability, would have meet Seaside's requirements on affordability, but would be cautious about believing that this piece of property would be a place where affordable commercial rents. This land needs to be strong on its own just like the downtown, revitalization. he was provided a draft RFP from 2010 that never was released. He is happy to provide the council the opportunity to review, but ensures he has spoken to all of the elements, including a timeline. He's open to the council's direction. Mr. Malin answered questions from the Council.

The Council Members indicated they were comfortable with not needing to see the RFP. Mayor Rubio spoke to the history of the project and is excited about moving forward and has confidence in the City Manager. He is anticipating how closely the developers respond to the City's vision and spoke in support of the flexibility of the market and the proposal reflecting that flexibility.

On motion by Council Member Alexander and seconded by Council Member Dave Pacheco and passed by the following vote the City Council authorized the City Manager to release the Request

for Proposal for mixed use development on the Main Gate site.

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

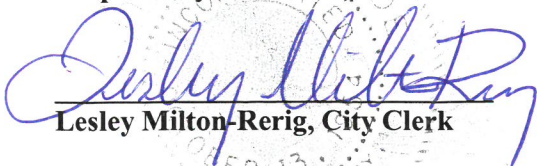
10. MAYOR, CITY COUNCIL, CITY MANAGER AND CITY ATTORNEY COMMENTS AND REPORTS ON COMMITTEE ASSIGNMENTS

City Manager Malin reported on the previously approved staff reorganization and to his next plans for the renovation and reorganization of the City Hall building. He presented an outline of the organization of staff and the building modifications, including ADA accessibility. Council Member Campbell spoke to the 4th of July parade event and reminded the Public he is hosting a town hall style event on the third Tuesday of July and asked that he be contacted through his email if interested. Council Member Alexander spoke about the first anniversary of the Seaside Parks association, and thanked Mr. Malin and Deputy Chief Lumpkin for being at the meeting. He reported right now there are 26 parks, in Seaside, and only 6 are represented by the association. He closed by thanking City Attorney Freeman for talking to the NIPC regarding the brown act and that the other commissions should get the same presentation. Council Member Pacheco reported the Boys and Girls club appointed Dr. Michael Jackson as the new CEO and spoke to the anniversary of the Pachetti Dog park. and spoke to the positive comments that come from outside the community about the park. He announced that Sunday Blues begins this Sunday. Mayor Pro Oglesby reported that the Main Gate site will be the first opportunity for the public to see the RUDG that has been developed and it's very important. He then said he believes that it is time that the City begins to help with the maintenance of Pachetti park. He spoke in support of the Mayor's comments about the need for balancing the residents anticipation of celebration and others safety issues regarding fireworks and spoke to the comments about RV trailers regulations questioning clarification if there is a caveat about those with business licenses or permits. Soccer fields, should have been addressed with the MOU, but asked city staff to pay special attention to the soccer league and help them get through the system to be able to use the facilities. He spoke to the weed abatement issue, sometimes on city property, sometimes on private, and requested the City Manager come back with a plan that systematically goes street by street to document a maintenance plan for removal of weeds. Finally he wanted thank Ms. Ingersoll for her service for him and the community. Mayor Rubio spoke to the contracts for the Pure water Monterey project that is moving forward. He thanked the participants in the 4th of July parade, the armed forces and the ROTC program, it's a connection of the community coming together.

11. ADJOURNMENT

The meeting was adjourned at 9:37 PM.

Respectfully submitted,


Lesley Milton-Rerig, City Clerk


Ralph Rubio, Mayor